

E AND R AMENDMENTS TO LB949

Introduced by Murante, 49, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. The following sums of money, or so much
4 thereof as may be required, are hereby appropriated from the
5 General Fund or from other funds as indicated in the state
6 treasury, not otherwise appropriated, for the payment of tort
7 claims which have been settled by the State Claims Board and
8 approved by the district court, which have been settled by the
9 Attorney General in the district court, or in which court judgments
10 have been entered and which require the approval of the Legislature
11 for payment.

12 \$600,000.00 for Tort Claim Number 2009-03406, against the
13 State of Nebraska, pay to Locke E. Bowman, Roderick MacArthur
14 Justice Center, Northwestern University School of Law, 375 East
15 Chicago Avenue, Chicago, IL 60611, out of the General Fund.

16 \$152,752.67 for Tort Claim Number 2009-03539, against
17 the State of Nebraska, pay to Sandra Ham, Guardian for Ian Ham,
18 and Disability Rights Nebraska, 134 South 13th Street, Suite 600,
19 Lincoln, NE 68508, out of the General Fund.

20 \$250,000 for Tort Claim Number 2010-09761, against the
21 State of Nebraska, pay to Berry Law Firm, 2650 North 48th Street,
22 Lincoln, NE 68504-3631, out of the General Fund.

23 \$125,000 for Tort Claim Number 2011-11365, against the

1 State of Nebraska, pay \$48,564 to Mattson Ricketts Law Firm, 134
2 South 13th Street, Suite 1200, Lincoln, NE 68508, and pay \$76,436
3 to Pacific Life and Annuity Services, Inc., 700 Newport Center
4 Drive, 1st Floor Treasury, Newport Beach, CA 92660-6397, out of the
5 General Fund.

6 \$15,000 for Tort Claim Number 2014-13247, against the
7 State of Nebraska, pay to Telma S. Diaz and Adam Sipple, 9900
8 Nicholas Street, Suite 225, Omaha, NE 68114, out of the General
9 Fund.

10 \$325,000 for Tort Claim Number 2014-13248, against the
11 State of Nebraska, pay to Nicholas Sampson and Chaloupka, Holyoke,
12 Snyder, Chaloupka, Longoria, and Kishiyama PC, LLO, 1714 Second
13 Avenue, P.O. Box 2424, Scottsbluff, NE 69363-2424, out of the
14 General Fund.

15 The claims included in this section shall be paid through
16 Program 591 in Agency 65.

17 For informational purposes only, the appropriations
18 contained in this section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$1,467,752.67</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$1,467,752.67</u>

24 Sec. 2. The following sums of money, or so much thereof
25 as may be required, are hereby appropriated from the General
26 Fund or from other funds as indicated in the state treasury, not
27 otherwise appropriated, for the payment of tort claims which have

1 been settled by the State Claims Board and approved by the district
2 court, which have been settled by the Attorney General in the
3 district court, or in which court judgments have been entered and
4 which require the approval of the Legislature for payment.

5 \$575,000 for Tort Claim Number 2013-12765, against the
6 State of Nebraska, pay to Ruben Maravilla-Servin and Heldt and
7 McKeone, P.O. Box 1050, 710 North Grant Street, Lexington, NE
8 68850-5050, out of the State Insurance Fund.

9 \$32,807 for Tort Claim Number 2013-12766, against the
10 State of Nebraska, pay to Brian McCoy, 6677 Route 96A, P.O. Box
11 239, Ovid, NY 14521, out of the State Insurance Fund.

12 \$29,996.27 for Tort Claim Number 2013-12904, against the
13 State of Nebraska, pay to Progressive Insurance, attention Chris
14 Woolfolk, P.O. Box 512929, Los Angeles, CA 90051-0924, out of the
15 State Insurance Fund.

16 \$2,000,000 for Tort Claim Number 2014-13083, against the
17 State of Nebraska, pay to Leonard Meeks and Martell Buchanan,
18 Co-Special Administrators of the Estate of Joyce Meeks, Lapin Law
19 Offices and Cavanagh Law Group, c/o Jeffrey Lapin, 8033 South 15th
20 Street, Suite A, Lincoln, NE 68512, out of the State Insurance
21 Fund.

22 The claims included in this section shall be paid through
23 Program 594 in Agency 65.

24 For informational purposes only, the appropriations
25 contained in this section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$-0-</u>

1	<u>CASH FUND</u>	<u>\$-0-</u>
2	<u>REVOLVING FUND</u>	<u>\$2,637,803.27</u>
3	<u>TOTAL</u>	<u>\$2,637,803.27</u>

4 Sec. 3. The following sum of money, or so much thereof as
5 may be required, is hereby appropriated from the General Fund or
6 from other funds as indicated in the state treasury, not otherwise
7 appropriated, for the payment of workers' compensation claims which
8 have been settled by the Attorney General in the Nebraska Workers'
9 Compensation Court or in which court judgments have been entered
10 and which require the approval of the Legislature for payment.

11 \$150,000.00 for a workers' compensation claim, pay
12 to Kathleen Roberts and Gregory Coffey, attorney, Friedman Law
13 Offices, PC, 3800 Normal Boulevard, Suite 200, Lincoln, NE
14 68501-2009, out of the Workers' Compensation Claims Revolving Fund.

15 The claim included in this section shall be paid through
16 Program 593 in Agency 65.

17 For informational purposes only, the appropriation
18 contained in this section and fund source:

19	<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
20	<u>GENERAL FUND</u>	<u>\$-0-</u>
21	<u>CASH FUND</u>	<u>\$-0-</u>
22	<u>REVOLVING FUND</u>	<u>\$150,000.00</u>
23	<u>TOTAL</u>	<u>\$150,000.00</u>

24 Sec. 4. The Director of Administrative Services is hereby
25 authorized and directed to draw his or her warrants upon the
26 funds in the state treasury enumerated in this act, in favor of
27 the several beneficiaries named in this act for the amount set

1 opposite their respective names upon the presentation of proper
2 vouchers therefor. The several amounts appropriated in this act
3 shall be in full payment of any and all claims, rights, causes
4 of action, damages, and demands of every character and kind owing
5 by or against the State of Nebraska, its officers, agents, and
6 employees, and their successors and assigns with respect to each
7 of the beneficiaries respectively in whose favor the appropriations
8 are made. The director shall not deliver any warrant for any
9 items appropriated in this act until a receipt and release in
10 full, releasing the State of Nebraska, its officers, employees, and
11 agents, and their successors and assigns, has been filed by each of
12 the beneficiaries respectively. Upon presentation of the warrants,
13 the State Treasurer is hereby directed to pay the same out of money
14 in the General Fund or out of money in other funds indicated in
15 this act not otherwise appropriated.

16 Sec. 5. The following requests were filed by state
17 agencies seeking permission to write off certain accounts. The
18 State Claims Board reviewed and approved the following requests:

19 \$108,009.81 for Request Number 2014-13271, made by the
20 Department of Roads.

21 \$286.29 for Request Number 2014-13278, made by the
22 Supreme Court.

23 \$7,546.27 for Request Number 2014-13323, made by the
24 Military Department.

25 \$747,545.18 for Request Number 2014-13354, made by the
26 Department of Health and Human Services.

27 \$16,385.66 for Request Number 2014-13356, made by the

1 Lottery Division of the Department of Revenue.

2 \$1,190.85 for Request Number 2014-13364, made by the

3 Department of Motor Vehicles.

4 \$7,572.57 for Request Number 2014-13370, made by the

5 Board of Educational Lands and Funds.

6 Sec. 6. Since an emergency exists, this act takes effect

7 when passed and approved according to law.